

03-BSD03SUMTER-03/07

January 13, 2011

This instrument prepared by

LORETTA A. WILLMITCH

Under the direction of

FREDRICK W. LOOSE, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 100.1

SECTION 18060

F.P. NO. 240418-2

STATE ROAD 48

COUNTY Sumter

COUNTY DEED

THIS DEED, made this _____ day of _____, _____ by SUMTER COUNTY, a political subdivision of the State of Florida, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Sumter County, Florida, viz:

PARCEL NO. 100

RIGHT OF WAY

SECTION 18060

F.P. NO. 240418 2

That part of:

County Road No. 603 (Battlefield Parkway) lying in the northeast quarter of Section 17, Township 21 South, Range 22 East, Sumter County, Florida;

AND:

County Road No. 311 (West Street) lying in the southeast quarter of Section 8, Township 21 South, Range 22 East, Sumter County, Florida;

described as follows:

Part "A":

Commence at a 6-inch by 6-inch concrete monument with 3 1/2-inch brass disk stamped "SUMTER COUNTY SECTION SURVEY 1954 R22E T21S" marking the southwest corner of the southeast quarter of Section 17, Township 21 South, Range 22 East, Sumter County, Florida, as shown on Florida Department of Transportation Right of Way Map Section 18060, Financial Project Identification No. 240418-2; thence run North 00°13'14" East along the west line of said southeast quarter a distance of 5300.78 feet to the northwest corner of the northeast quarter of said Section 17 and a point on the Centerline of Survey of State Road No. 48 according to said Right of Way Map; thence run South 89°44'25" East along said Centerline of Survey a distance of 1319.26 feet to a point on the east line of the southwest quarter of the southeast quarter of Section 8, Township 21 South, Range 22 East; thence departing said Centerline of Survey run South 00°01'27" East along said east line a distance of 0.74 feet to the northwest corner of the northeast quarter of the northeast quarter of the aforesaid Section 17; thence run South 00°13'28" West along the west line of the northeast quarter of the northeast quarter of said Section 17 a distance of 32.26 feet to a point on the existing southerly right of way line of State Road No. 48 according to said Right of Way Map for a Point of Beginning; thence departing said west line run South 89°44'25" East along said existing southerly right of way line a distance of 25.44 feet to a point on the apparent existing

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easterly right of way line of County Road No. 603 (Battlefield Parkway) as shown on said Right of Way Map; thence departing said existing southerly right of way line run South 00°16'57" East along said apparent easterly right of way line a distance of 14.27 feet; thence departing said apparent easterly right of way line run South 89°15'43" West a distance of 3.44 feet; thence North 00°44'17" West a distance of 1.50 feet; thence South 89°15'43" West a distance of 47.26 feet to a point on the apparent existing westerly right of way line of said County Road No. 603 (Battlefield Parkway); thence run North 00°12'41" East along said apparent westerly right of way line a distance of 13.65 feet to a point on the aforesaid existing southerly right of way line State Road No. 48; thence departing said apparent existing westerly right of way line run South 89°44'25" East along said existing southerly right of way line a distance of 25.16 feet to the Point of Beginning.

Containing 674 square feet, more or less.

And also,

Part "B":

Commence at a 4-inch by 4-inch metal plate with 60 penny nail stamped "T. 21 S. R. 22 E. 17 16 D.O.T. 10-1-71" marking the southeast corner of the northeast quarter of Section 17, Township 21 South, Range 22 East, Sumter County, Florida as shown on Florida Department of Transportation Right of Way Map Section 18060, Financial Project Identification No. 240418-2; thence run North 00°13'41" East along the east line of said northeast quarter a distance of 2608.56 feet to a point on the existing southerly right of way line of State Road No. 48 according to said Right of Way Map for a Point of Beginning; thence departing said east line run thence South 89°40'43" East a distance of 20.00 feet to a point on the west line of Block 43 of Bushnell, Fla., according to the plat thereof as recorded in Plat Book 1, page 79 of the Public Records of Sumter County, Florida, also known as Lot 4 of Galloway's Addition To Bushnell, recorded in Plat Book 1, page 41 of the Public Records of Sumter County, Florida, as shown on said Right of Way Map; thence departing said existing southerly right of way line run South 00°13'41" West along said west line a distance of 6.17 feet; thence departing said west line run North 88°44'17" West a distance of 40.01 feet to a point on the existing westerly right of way line of West Street as shown on said Right of Way Map; thence North 00°13'41" East along said existing westerly right of way line a distance of 5.57 feet to a point on the aforesaid existing southerly right of way line of State Road No. 48; thence departing said westerly right of way line run South 89°31'12" East along said southerly right of way line a distance of 20.00 feet to the Point of Beginning.

Containing 234 square feet, more or less.

And also,

Part "C":

Commence at 5/8-inch iron rod and cap stamped "OWENS PLS 3522" marking the northeast corner of the southeast quarter of Section 8, Township 21 South, Range 22 East, Sumter County, Florida, as shown on Florida Department of Transportation Right of Way Map Section 18060, Financial Project Identification No. 240418-2; thence run South 00°02'00" East along the east line of said southeast quarter a distance of 2606.97 feet for a Point of Beginning; thence continue South 00°02'00" East along said east line a distance of 10.00 feet to a point on the existing northerly right of way line of State Road No. 48 according to said Right of Way Map; thence departing said east line run North 89°31'12" West along said existing northerly right of way line a distance of 15.30 feet to a point on the maintained westerly right of way line of County Road No. 311 (West Street) as described in Official Records Book 799, page 430 of the Public Records of Sumter County, Florida, and shown on said Right of Way Map; thence

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departing said existing northerly right of way line run North 00°02'00" West along said westerly right of way line a distance of 9.96 feet; thence departing said westerly right of way line run South 89°40'43" East a distance of 15.30 feet to the Point of Beginning;

Containing 153 square feet, more or less.

Containing a total of 1061 square feet, more or less.

This legal description prepared under the direction of:
John J. Campbell, Jr.
Florida Registered Surveyor and Mapper No. 5522
Lochrane Engineering, Inc., LB 2856
201 South Bumby Avenue
Orlando, FL 32803
Date: June 30, 2010

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the said grantee forever.

PROVIDED that the following rights are reserved to Grantor:

1. The Grantor shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the Grantor or require the Grantor to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The Grantor shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.
4. The Grantor agrees to repair any damage caused by the Grantor to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage resulting from the Grantor exercising its rights outlined in Paragraphs 1 and 3 above.

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IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____

Clerk (or Deputy Clerk)

SUMTER COUNTY, FLORIDA,
By Its Board of County
Commissioners

By: _____

Its Chairperson
(or Vice-Chairperson)

ADDRESS OF GRANTOR:

STATE OF FLORIDA

COUNTY OF SUMTER

The foregoing Instrument was acknowledged before me this _____ day of _____, _____ by _____, Chairperson (or Vice-Chairperson), who is personally known to me or who has produced _____ as Identification.

PRINT/TYPE NAME: _____

Notary Public in and for the
County and State last aforesaid.

My Commission Expires: _____

Serial No., if any: _____

03-BSD04-08/01
January 13, 2011
This instrument prepared by
LORETTA A. WILLMITCH
Under the direction of
FREDRICK W. LOOSE, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO. 100.1
SECTION 18060
F.P. NO. 240418-2
STATE ROAD 48
COUNTY Sumter

RESOLUTION

ON MOTION of Commissioner _____, seconded by
Commissioner _____, the following Resolution
was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or
improve State Road No. 48, Section No. 18060, F.P. No. 240418-2, in Sumter County, Florida;
and

WHEREAS, it is necessary that certain lands now owned by Sumter County be acquired
by the State of Florida Department of Transportation; and

WHEREAS, said property is not needed for County purposes; and

WHEREAS, the State of Florida Department of Transportation has made application to said
County to execute and deliver to the State of Florida Department of Transportation a deed, or
deeds, in favor of the State of Florida Department of Transportation, conveying all rights, title and
interest that said County has in and to said lands required for transportation purposes, and said
request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumter
County, that the application of the State of Florida Department of Transportation for a deed, or
deeds, is for transportation purposes which are in the public or community interest and for public
welfare and the land needed for transportation purposes is not needed for county purposes; that a
deed, or deeds, in favor of the State of Florida Department of Transportation conveying all right,
title and interest of Sumter County in and to said lands should be drawn and executed by
_____, on behalf of this Board of County Commissioners.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith
to the State of Florida Department of Transportation at 719 South Woodland Blvd., DeLand,
Florida, 32720-6834.

STATE OF FLORIDA

COUNTY OF SUMTER

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board
of County Commissioners of Sumter County, Florida at a meeting held on the _____ day of
_____, _____.

Clerk
Board of County Commissioners
Sumter County, Florida